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8 Attorneys for Defendant-Counterclaimant
HONEYWELL INTERNATIONAL INC.
9 and Counterclaimant HONEYWELL
10 INTELLECTUAL PROPERTIES INC.

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

13 TELEDYNE TECHNOLOGIES INC., a) Case No. CV 06-06803
14 Delaware corporation,)

15 Plaintiff,)
16 vs.)

Assigned to: Hon. Margaret M. Morrow

17 HONEYWELL INTERNATIONAL)
18 INC., a Delaware corporation,)

**REVISED [PROPOSED] MARKMAN
ORDER**

19 Defendant.)

20 HONEYWELL INTERNATIONAL)
21 INC. and HONEYWELL)
22 INTELLECTUAL PROPERTIES INC.,)
a Delaware corporation,)

23 Counterclaimants,)
24 vs.)

25 TELEDYNE TECHNOLOGIES INC., a)
Delaware corporation,)

26 Counterdefendant.)
27
28

1 Having considered the parties' briefs, the pleadings, the declarations, the
 2 evidence submitted, and the oral argument of counsel herein, and good cause
 3 appearing therefore,

4
 5 IT IS HEREBY ORDERED, DECREED and ADJUDGED that the following
 6 constructions shall apply to the below patents in this case:

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 8 **U.S. PATENT NO. 6,181,990**

'990 Patent Claim Term	Construction
Flight data	Flight parameters such as air speed, altitude, vertical acceleration, heading, and time.
Data acquisition unit	The aircraft component known as the flight data acquisition unit (FDAU).
At least a second sensor configured to sense a landing of the aircraft	This term does not require construction. Alternate construction: At least a second sensor configured to sense a touching down of the aircraft.
Cellular infrastructure	A voice/data network for mobile radio communication in a licensed frequency band, organized as a system of cells including a base station transceiver subsystem connected to a base station controller.
Communication is initiated when at least the second sensor senses the landing of the aircraft	This term does not require construction. Alternate construction: Communication is initiated at the time that at least the second sensor senses the touching down of the aircraft.
Modem	This term does not require construction. Alternate construction: An electronic device that modulates and demodulates an analog carrier, enabling digital information to be sent and received over analog

'990 Patent Claim Term	Construction
	transmission facilities.
Serial card	A circuit board with I/O interfaces that each transmit data to or from a peripheral device one bit at a time.
Cell channels	Multiple paths that open, sustain and close the air interface, and transmit flight data via the cellular infrastructure simultaneously and in parallel.
Plurality of cell channels in communication with said serial card	More than one physical, over-the-air channels to the cellular infrastructure are each attached to an I/O port of said serial card, allowing the cell channels to transmit data simultaneously and thus in parallel.
Initiated automatically upon landing of the aircraft	<p>This term does not require construction.</p> <p>Alternate construction: Initiated without human intervention upon touching down of the aircraft.</p>
Sensing means for sensing a landing of the aircraft	<p>This is a means-plus-function limitation under 35 U.S.C. § 112(6).</p> <p>Function: sensing the landing of the aircraft.</p> <p>Corresponding structure: the weight-on-wheels signal from the landing gear of the aircraft.</p>
Means for transmitting	<p>Means for transmitting: this is a means-plus-function limitation under 35 U.S.C. § 112(6).</p> <p>Function: transmitting flight data.</p> <p>Corresponding structure: The structure and steps disclosed at '990 col.3 ll.30-42 and '990 col.4 ll.63-67.</p>

'990 Patent Claim Term	Construction
Transmission of the data is initiated when the sensing means sense the landing of the aircraft	This term does not require construction. Alternate construction: Transmission of the data is initiated when the weight-on-wheels signal is generated.
Means for receiving	This is a means-plus-function limitation under 35 U.S.C. § 112(6). Function: receiving the flight data from the cellular infrastructure. Structure: the structure and steps disclosed at '990 col.4 ll.32-53 and '990 col.5 l. 41 to col.6 l. 26.
Receiving a signal indicating a landing of the aircraft from at least a first sensor	This term does not require construction. Alternate construction: Receiving a signal indicating a touching down of the aircraft from at least a first sensor.
Cellular communications infrastructure	A voice/data network for mobile radio communication in a licensed frequency band, organized as a system of cells including a base station transceiver subsystem connected to a base station controller.
Cellular communications infrastructure is accessed in response to the signal	This term does not require construction. Alternate construction: The cellular communications infrastructure is accessed in response to the signal indicating that the aircraft is touching down.
Receiving a signal indicating a landing of the aircraft from at least a second sensor	This term does not require construction. Alternate construction: Receiving a signal indicating a touching down of the aircraft from at least a second sensor.
Flight operations center	Base of flight operations for the airline or other aircraft

'990 Patent Claim Term	Construction
	operator.
Data thread	Part of a computer program that runs independently or with other parts of a computer program to convey flight data packets for transmission via cell channels to the cellular infrastructure.
Primary data thread	This term is indefinite. Alternate construction: The thread that makes the initial call and opens the communications channel to the flight operations center.
Threads are active	More than one thread is active.
Transmitting said processed data via a cellular infrastructure when said aircraft has landed	This term does not require construction. Alternate construction: Transmitting the processed data via a cellular infrastructure when the aircraft has touched down.
Cellular telephone infrastructure	This term does not require construction. Alternate construction: A cellular infrastructure that provides service to cellular telephones.

United States Patent Number 6,477,152

'152 Patent Claim Terms	Construction
Data source	This term does not require construction. Alternate construction: A source of data.
Network system	A network that communicates requests to the data source.
Information request system	This term does not require construction. Alternate construction: A system configured to enable a system user to request information.
Transmission unit	A component through which information requests to the data source are transmitted. The transmission unit may act as a receiver and receive signals from the data source.
Satellite data unit	This term does not require construction. Alternate construction: A communications unit that facilitates communications via satellite.
Radio frequency unit	This term does not require construction. Alternate construction: A radio frequency communications unit.
First communication medium	This term does not require construction. Alternate construction: Any suitable media or combination of media for transmitting data requests from transmission unit to the data source.
Aeronautical satellite system	This term does not require construction. Alternate construction: At least one satellite configured to receive data request signals from the transmission unit and forward or transmit the signals to

'152 Patent Claim Terms	Construction
	a ground earth station.
Second communication medium	This term does not require construction. Alternate construction: Any medium, plurality or combination of media capable of transmitting information from the data source to the receiver.
Direct broadcast satellite	A satellite that facilitates access to greater bandwidth than reliance solely on the telephone system and affords relatively high data transfer rates from the data source to the receiver.
Direct broadcasting system.	A system for broadcasting information to a receiver via a satellite that facilitates access to greater bandwidth than reliance solely on the telephone system and affords relatively high data transfer rates from the data source to the receiver.
Direct broadcast system	A system for broadcasting information to a receiver via a satellite that facilitates access to greater bandwidth than reliance solely on the telephone system and affords relatively high data transfer rates from the data source to the receiver.
Broadcasting	This term does not require construction. Alternate construction: Transmitting.
Selecting	This term does not require construction. Alternate construction: Choosing.
Radio frequency system	A radio frequency unit and corresponding transmission medium.
Wireless LAN system	A wireless LAN unit and corresponding transmission medium.

'152 Patent Claim Terms	Construction
Voice channel system	A voice channel unit and corresponding transmission medium.
Selection system	This term does not require construction. Alternate construction: A part of the information request system used to select a transmission mechanism or mechanisms for transmitting the data request to the data source.

U. S. Patent No. 6,438,468

'468 Patent Claim Terms	Construction
System server	This term does not require construction. Alternate construction: A device or computer system or software that includes an administrative application/program, a database and an interface application.
Vehicle server	Any hardware or software device that is capable of receiving data updates from the system server and loading the updates in a component.
Data connection	This term does not require construction. Alternate construction: Any type of wireless, optical or electrical data connection.
Component	Any avionics or other aircraft device such as a flight management computer, flight management system, global positioning system, navigation computer or the like.
Loading said data update from said vehicle server into a component at said vehicle	This term does not require construction. Alternate construction: Loading the data update from the vehicle server into the vehicle component.
Verifying from said vehicle server to said system server via said data connection that said loading step completed successfully	This term does not require construction. Alternate construction: Transmitting a signal from the vehicle server to the system server via a data connection indicating that the loading step completed successfully.
Digital storage medium	This term does not require construction. Alternate construction: A medium that can store digital information.

'468 Patent Claim Terms	Construction
Operable to execute the method	This term does not require construction. Alternate construction: Able to cause one or more applications, processes, processors or devices to perform the steps.
At a pre-determined time	This term does not require construction. Alternate construction: At a time that is determined in advance, or that is determined by a program in accordance with pre-determined rules based on user inputs and/or data in a database.
Receiving a confirmation from said vehicle server via said data connection when said data update is successfully loaded	This term does not require construction. Alternate construction: Receiving a signal from the vehicle server to the system server via the data connection indicating that the loading step completed successfully.

The constructions provided above apply to each instance where the patents' claims the utilize same or substantially identical claim limitations to those specifically referenced above.

SO ORDERED,

Dated: _____, 2008

The Honorable Margaret M. Morrow
United States District Court Judge